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RUFOAOA/USNIC SARAJEVO

C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 001059

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DEPARTMENT FOR EUR(DICARLO), EUR/SCE(HOH/FOOKS),
L(MANSFIELD); NSC FOR BRAUN; USNIC FOR WIGHTMAN

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SUBJECT: BOSNIA - DODIK INDICATES WILLINGNESS TO TALK WITH
SILAJDZIC ON REFORMS

REF: SARAJEVO 1042

Classified By: Ambassador Douglas McElhaney. Reason 1.4(b) and (d).

1. (C) SUMMARY: On May 14, we met with Republika Srpska PM and President of the Alliance of Independent Social Democrats (SNSD) Milorad Dodik to discuss making progress on constitutional and police reform before he and Bosniak member of the Tri-Presidency Haris Silajdzic visit Washington next week. In a two hour-long discussion, we stressed the importance of breaking the current political logjam and suggested that Washington might provide an appropriate venue to finalize a deal and announce a breakthrough. We also reviewed for Dodik the outlines of the proposals on constitutional and police reform presented to us earlier in the day by Silajdzic (reftel). Dodik was more open to them than we had anticipated and agreed to discuss them with Silajdzic later in the week at a meeting hosted by the Ambassador. We will have a better idea after these exchanges whether a "Washington deal" is possible. END SUMMARY

Constitutional Reform

2. (C) We introduced the subject of constitutional reform by emphasizing that the proposals Silajdzic had tabled earlier in the day with the Ambassador mirrored those Party for Democratic Action (SDA) President Sulejman Tihic had passed to Dodik a little over a week ago. First, the Bosniaks were seeking a change to the "dissolution clause" of the U.S.-brokered package of amendments. This provision (Amendment II, Article 11) provides that the Parliamentary Assembly "shall be dissolved" when the House of Representatives fails to elect the Presidency or Prime Minister after three attempts. (Note: The provision as to agreed to by the six political parties included a reference to the PM only. Reference to the Presidency was added by the Constitutional and Legal Affairs Committee during consideration of the amendments. End Note.) Dodik accepted this proposal immediately, noting, "we do not need any meeting in Washington to agree to that."

3. (C) Second, the Bosniaks wanted to limit the scope of entity voting only to issues concerning the transfer of competencies from the entities to the state and to issues concerning shared competencies. Entity voting would be eliminated on all exclusively state-level competencies. (Note: Amendment I of the U.S.-brokered package of amendments would spell out, for the first time, which competencies

belong exclusively to the state and which are shared between the state and the entities. End Note.) Somewhat surprisingly, given his previous private objections to any change in the entity voting provisions of the U.S.-brokered package of amendments, Dodik did not reject the Bosniak proposal out of hand. Instead, Dodik claimed Tihic's ideas "were somewhat vague" and that he would "like a better understanding of how it would work in practice" before accepting or rejecting it. He also implied that he would insist that entity voting remain in place on the state budget.

Police Reform

14. (C) We explained that a deal on police reform would entail acceptance by all parties of the Police Reform Directorate (PDR) report, the associated timeline for its implementation, and the paper tabled by OHR at the March 14 police reform talks. The paper included provisions for, among other things, the creation of a special police district for Srebrenica and a single police district for Sarajevo. The issue of the name of the local police bodies in the RS would be decided at a future date by the Presidency on the basis of consensus after a Stabilization and Association Agreement (SAA) is signed. Dodik responded by noting that there are different interpretations what he had agreed to at the March 14 meeting. He stressed that the RS police would have to remain an "administrative unit" within any state-level police structure. Though he professed a willingness to discuss the issues with Silajdzic, he warned that the international community needed to keep in mind the political constraints he faced on police reform.

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Comment

15. (C) Our exchange with Dodik was encouraging. We plan to meet again with him and Silajdzic later this week for more detailed discussions. Only once we get them both around the table, will we be in a position to judge the sincerity or their professed willingness to use their Washington visits as a forum for concluding "breakthrough" agreements on constitutional and police reform.

MCELHANEY